

AMENDED IN SENATE JUNE 14, 2005

AMENDED IN SENATE JUNE 8, 2005

AMENDED IN SENATE MAY 11, 2005

CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

ASSEMBLY BILL

No. 1426

Introduced by Assembly Member Liu

February 22, 2005

An act to amend Section 597u of, and to repeal Section 597w of, the Penal Code, relating to animals.

LEGISLATIVE COUNSEL'S DIGEST

AB 1426, as amended, Liu. Animal euthanasia.

Existing law makes it a crime to engage in acts of animal abuse, as specified. Existing law makes it a misdemeanor to kill any animal by the use of carbon monoxide gas.

This bill would it provide that it is also a misdemeanor to kill any animal by means of an intracardiac injection of a euthanasia agent on a conscious animal, unless the animal is heavily sedated or anesthetized in a humane manner, or comatose, or unless, in light of all the relevant circumstances, the procedure is justifiable. By creating a new crime, this bill would impose a state-mandated program upon local governments.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 597u of the Penal Code is amended to
2 read:
3 597u. (a) No person, peace officer, officer of a humane
4 society, or officer of a pound or animal regulation department of
5 a public agency shall kill any animal by using any of the
6 following methods:
7 (1) Carbon monoxide gas.
8 (2) Intracardiac injection of a euthanasia agent on a conscious
9 animal, unless the animal is heavily sedated or anesthetized in a
10 humane manner, or comatose, or unless, in light of all the
11 relevant circumstances, the procedure is justifiable.
12 (b) With respect to the killing of any dog or cat, no person,
13 peace officer, officer of a humane society, or officer of a pound
14 or animal regulation department of a public agency shall use any
15 of the methods specified in subdivision (a) or any of the
16 following methods:
17 (1) High-altitude decompression chamber.
18 (2) Nitrogen gas
19 ~~(c) This section shall become operative on January 1, 2000.~~
20 SEC. 2. Section 597w of the Penal Code is repealed.
21 SEC. 3. No reimbursement is required by this act pursuant to
22 Section 6 of Article XIII B of the California Constitution because
23 the only costs that may be incurred by a local agency or school
24 district will be incurred because this act creates a new crime or
25 infraction, eliminates a crime or infraction, or changes the
26 penalty for a crime or infraction, within the meaning of Section
27 17556 of the Government Code, or changes the definition of a
28 crime within the meaning of Section 6 of Article XIII B of the
29 California Constitution.

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